

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

No. 05CV10311-MLW

CHARLES A. EVANGELISTA,	)	
Plaintiff	)	
	)	
v.	)	
	)	CERTIFICATION OF DEFENDANT
SHANE MARCOTTE, JASON FANION,	)	JAMES JOHNSON
DANIEL FALLON, III, JONATHAN	)	
COTTER, JAMES JOHNSON, CARL	)	
SUPERIOR and CITY OF WORCESTER)	)	
Defendants	)	
	)	

Pursuant to LR 16.1(D)(3), Defendant James Johnson hereby certifies that he and his counsel have conferred:

- a. with a view to establishing a budget for the costs of conducting the full course, and various alternative courses, of this litigation; and
- b. to consider the resolution of this litigation through the use of alternative dispute resolution programs such as those outlined in LR 16.4.

JAMES JOHNSON

\_/s/James Johnson  
James Johnson

SHANE MARCOTTE, JASON FANION,  
DANIEL FALLON, III, JONATHAN  
COTTER, JAMES JOHNSON, CARL  
SUPERNOR, and CITY OF WORCESTER

By their attorneys,

David M. Moore  
City Solicitor

\_/s/ Donald V. Rider, Jr.  
Donald V. Rider, Jr. (BBO#549777)  
Assistant City Solicitor  
City Hall, Room 301  
455 Main Street  
Worcester, MA 01608  
(508) 799-1161

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I have served upon Plaintiff the within Certification of Defendant James Johnson, by mailing a copy of the same, first class mail, postage prepaid, to William T. Harrington, Esquire, Glynn, Landry, Harrington & Rice, 10 Forbes Road, Braintree, MA 02184-2605 this 30th day of September, 2005.

\_/s/ Donald V. Rider, Jr.  
Donald V. Rider, Jr.  
Assistant City Solicitor